

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

CHRISTOPHER CHAISSON,

Plaintiff,

v.

CIV 10-0798 WJ/KBM

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S**  
**PROPOSED FINDINGS AND**  
**RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on August 18, 2011. *See Doc. 20.* Having reviewed Plaintiff's objections *de novo*, I find them without merit. *See Garcia v. City of Albuquerque*, 232 F.3d 760, 766-67 (10<sup>th</sup> Cir. 2000).

For example, Plaintiff asserts that the Magistrate Judge acted "contrary to law" by looking at the ALJ's decision as a whole, rather than confining the analysis to a single sentence by the ALJ that itself references another section of the ALJ's opinion. *See Doc. 21 at 1.* Plaintiff cites no authority for the proposition that judicial review cannot encompass the ALJ's stated reasons throughout the opinion. The same is hardly a "post-hoc" rationale. Similarly, Plaintiff objects to the fact that the Magistrate Judge noted that he did not take issue with the ALJ's Step 3 findings that Plaintiff meets the Listings criteria for the condition of "malingering" but did not have PTSD symptoms that meet the requirement. He believes the Magistrate Judge

was implying that he did not challenge those findings as an “oversight or mistake.” I do not construe the recommendation that way at all. As for the remainder of the objections, I do not find them a basis to reject the Magistrate Judge’s thorough analysis and reasoning.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge’s Proposed Findings and Recommended Disposition (Doc. 20) is ADOPTED;
2. Plaintiff’s Motion to Reverse/Remand (*Doc. 15*) is DENIED and the decision of the Commissioner is AFFIRMED; and
3. Pursuant to the final order entered concurrently herewith, this action is dismissed with prejudice.

A handwritten signature in black ink, appearing to be 'A. M. ...', is written over a horizontal line.

UNITED STATES DISTRICT JUDGE